IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT APPEAL No. 1728 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29/10/2004 in WPMP No.25892 of 2004 in WP No. 19774 OF 2004 on the file of the High Court.)

Between:

A.Sumalatha Muthyam Reddy, w/o A.Muthyam Reddy, President,
Mandal Praja Parishad, r/o Laxmanachanda, Adilabad District, presently r/at Plot No.19, H.No.2-3-70/5/4, New Samathapuri Colony, Road No.2, Nagole, Hyderabad.

..... APPELLANT

AND

1.The Revenue Divisional officer, Nirmal, Adilabad District.
2.Zilla Parishad, Adilabad, rep., by its Chief Executive Officer.
3.The Mandal Parishad Development Officer, Laxmanchanda, Adilabad District.
4.Tunki Rajeshwar, MPTC, Babapur.
5.N.Kalpana Ram Reddy, M.P.T.C.Wadiyal.
6.Guripelly Chinnamma, MPTC, New Velmal.
7.Poshett, MPTC, Laxmanchanda.
8.Lingavva, MPTC, Mallapur.
9.Manthena Anasuya, MPTC Parpelly
10.Sonna Muthanna, MPTC, Rachapur.

.....RESPONDENTS

Counsel for the Appellant: Mr. B.VIJAYSEN REDDY

Counsel for Respondent Nos. 1: GP FOR REVENUE

Counsel for Respondent No.9: Mr.S.Niranjan Reddy

Counsel for Respondent Nos. 2&3: Smt.Jyothi Eshwar Gogineni

Counsel for Respondent Nos. 4 to 8 & 10: None appeared.

The Court made the following :

ORAL JUDGMENT:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

It is a matter where No Confidence Motion has since been carried out. Learned Single Judge declined to grant any interim relief while entertaining the Writ Petition and directed that result of the No Confidence Motion shall be subject to the ultimate outcome of the Writ Petition. This order was passed a day before the No Confidence Motion was carried out.

But, obviously, now that No Confidence Motion has been carried out, respondents will have to initiate proceedings to elect new President of Mandala Praja Parishad, and, until such process is undertaken, the Vice-President has to take charge as a stopgap arrangement.

We are of the view that, in the facts and circumstances of the case, it will be, but, appropriate that Writ Petition itself is taken up for early hearing, for which, obviously, respondents will have to be given an opportunity of filing their reply. We direct that Writ Petition will be posted for hearing, for which purpose, appellant will have to take steps for service on the respondents, and, within two weeks from the date of service, Writ Petition will be posted before the learned Single Judge for being heard on merits on priority basis. Till then, it is directed that the ad hoc arrangement will continue and respondents will not undertake the exercise of electing new President.

The Writ Appeal stands disposed of. No costs.

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DEVINDER GUPTA, C.J.

02.11.2004.

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C.V.RAMULU, J.

VR.

To

1.The Revenue Divisional officer, Nirmal, Adilabad District.
2. The Chief Executive Officer, Zilla Parishad, Adilabad.
3.The Mandal Parishad Development Officer, Laxmanchanda, Adilabad District.

4. Two CCs to Government Pleader for Revenue, High Court Buildings, Hyderabad (OUT).

5. Two CCs to the S.O. Writ Posting Section, High Court of A.P., Hyderabad.

6. Two CD copies.